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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JOHN A. HOUSTON)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**JOSE RAYMUNDO CONTRERAS-
HERNANDEZ**

Defendant.

CASE NO.: 07CR3190-JAH

DATE: JANUARY 14, 2007
TIME: 8:30 A.M.

NOTICE OF MOTIONS AND MOTIONS TO:

- 1) COMPEL DISCOVERY AND PRESERVE EVIDENCE;
- 2) DISMISS INDICTMENT FOR FAILURE TO ALLEGE ESSENTIAL ELEMENTS OF THE OFFENSE;
- 3) SUPPRESS ANY STATEMENTS MADE BY MR. CONTRERAS-HERNANDEZ; AND,
- 4) GRANT LEAVE TO FILE FURTHER MOTIONS.

TO: KAREN P. HEWITT, INTERIM UNITED STATES ATTORNEY, AND
PETER MAZZA, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on January 14, 2007, at 8:30 a.m., or as soon thereafter as counsel may be heard, defendant, Jose Raymundo Contreras-Hernandez, by and through his attorneys, Candis Mitchell and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motions.

MOTIONS

Defendant, Eduardo Fernandez-Serrano, by and through his attorneys, Candis Mitchell and Federal Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

- (1) Compel Discovery and Preserve Evidence;
- (2) Dismiss Indictment for Failure to Allege Essential Elements of the Offense;
- (3) Suppress any Statements Made by Mr. Contreras-Hernandez; and
- (4) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: December 18, 2007

s/ Candis Mitchell

CANDIS MITCHELL

Federal Defenders of San Diego, Inc.

Attorneys for Mr. Raymundo Contreras-Hernandez

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